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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/679,158

Filing Date

October 3, 2003

First Named Inventor

Thomas Russell

Art Unit

3733

Examiner Name

Davis, Daniel J.

Attorney Docket Number

50642/287729

ENCLOSURES (check all that apply)

Fee Transmittal Form

Fee Attached

Amendment / Reply

After Final

Affidavits/declaration(s)

Extension of Time Request

Express Abandonment Request

Information Disclosure Statement

Certified Copy of Priority Document(s)

Reply to Missing Parts/ Incomplete Application

Reply to Missing Parts under 37 CFR 1.52 or 1.53

Drawing(s)

Licensing-related Papers

Petition

Petition to Convert to a Provisional Application

Power of Attorney, Revocation Change of Correspondence Address

Terminal Disclaimer

Request for Refund

CD, Number of CD(s) _____

Landscape Table on CD

After Allowance Communication to TC

Appeal Communication to Board of Appeals and Interferences

Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)

Proprietary Information

Status Letter

Other Enclosure(s)
(please identify below):

Form PTO/SB/08/a (1 sheet)

7 Publications

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm

Kilpatrick Stockton, LLP

Signature

Printed Name

Michael A. Bertelson

Date

March 28, 2006

Reg. No.

54,713

CERTIFICATE OF TRANSMISSION/MAILING

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: RUSSELL, et al.

SERIAL NO.: 10/679,158 Group Art Unit: 3733

FILED: October 3, 2003 Examiner: DAVIS, Daniel J.

FOR: SURGICAL POSITIONERS

Attorney Docket No.: 50642/287729

Date: March 28, 2006

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the publications listed on the enclosed Form PTO/SB/08a are cited for consideration by the Examiner. Copies of the cited non-U.S. publications and other materials are enclosed.

Submission of the references provided in this Supplemental Information Disclosure is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specially designated as such. Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

U.S. Serial No. 10/679,158

Filed: October 3, 2003

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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This Supplemental Information Disclosure Statement is being filed pursuant to 37 C.F.R. 1.97(b), before the mailing date of an office action on the merits. Applicants believe that no fee is due for consideration of this paper. However, if a fee is due, the Commissioner is authorized to charge any fee due to Deposit Account No. 11-0855.

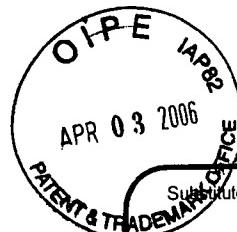
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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of

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Complete if Known

Application Number	10/679,158
Filing Date	October 3, 2003
First Named Inventor	Thomas Russell
Art Unit	3733
Examiner Name	Davis, Daniel J.

Attorney Docket Number

50642/287729

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
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/B.R./		US-2005/0279368 A1	12-22-2005	Daniel L. McCombs	

FOREIGN PATENT DOCUMENTS

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		Country Code ³ – Number ⁴ - Kind Code ⁵ (if known)				
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/B.R./		WO 2005/096982	10-20-2005	Daniel McCombs		
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NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
/B.R./		NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES (NIAMS), "Questions & Answers about...Knee Problems", 36 pp. (May 2001)	
Examiner Signature	/Baisakhi Roy/	Date Considered	08/02/2009

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.